

# Appendix C

## Homicide Offenses

(Homicide = any crime in which the death of a human being is an element of the crime.)

**MCL 257.601b(3)**, moving violation causing death to construction worker.

**MCL 257.601c(2)**, moving violation causing death to operator of implement of husbandry.

**MCL 257.602a(5)**, fleeing and eluding – first-degree.

**MCL 257.617(2)**, failure to stop at scene of accident resulting in serious impairment or death.

**MCL 257.617(3)**, failure to stop at scene of accident resulting in death when at fault.

**MCL 257.625(4)(a)**, operating a vehicle while intoxicated or impaired causing death.

**MCL 257.625(4)(b)**, operating a vehicle while intoxicated or impaired causing death to certain persons.

**MCL 257.625(10)(b)**, allowing a vehicle to be operated while intoxicated or impaired causing death.

**MCL 257.653a(4)**, failure to use due care and caution causing death to emergency personnel.

**MCL 257.904(4)**, operating a vehicle without a license causing death.

**MCL 257.904(7)**, allowing a vehicle to be operated without a license causing death.

**MCL 259.185(4)**, operating or serving as crew of aircraft while under the influence causing death.

**MCL 287.323(1)**, dangerous animal causing death.

**MCL 324.5531(5)**, knowingly releasing pollutants causing death or serious bodily injury.

**MCL 324.5531(6)**, releasing pollutants with intent to harm and resulting in death or serious bodily injury.

**MCL 324.80134a(2)**, failure to stop at scene of marine accident causing serious impairment or death.

**MCL 324.80134a(3)**, failure to stop at scene of marine accident causing death when at fault.

**MCL 324.80172**, negligent crippling or homicide by vessel.

**MCL 324.80176(4)**, operating a vessel under the influence causing death.

**MCL 324.81134(7)**, operating an ORV under the influence causing death.

**MCL 324.82126c(1)**, operating a snowmobile carelessly or negligently causing death or serious impairment.

**MCL 324.82127(4)**, operating a snowmobile under the influence causing death.

**MCL 333.5661**, fraud resulting in patient death.

**MCL 408.1035(5)**, MIOSHA violation causing employee death. (Repealed if section 14, as amended by Act 105 of 1991, is held to be unconstitutional.)

**MCL 408.1035a(5)**, MIOSHA violation causing employee death. (Effective if section 14, as amended by Act 105 of 1991, is held to be unconstitutional.)

**MCL 436.1701(2)**, selling alcohol to a minor and causing death.

**MCL 462.353(6)**, operating a locomotive under the influence or while impaired causing death.

**MCL 750.49(8)**, inciting fighting animal resulting in death.

**MCL 750.49(10)**, fighting animal attacking without provocation resulting in death.

**MCL 750.81d(4)**, assaulting, resisting, or obstructing certain persons causing death.

**MCL 750.90a**, assault causing miscarriage/stillbirth/death to embryo/fetus with intent or recklessness.

**MCL 750.90b(a)**, assault against a pregnant individual resulting in miscarriage/stillbirth/death to embryo/fetus.

**MCL 750.90c(a)**, gross negligence resulting in miscarriage/stillbirth/death to embryo or fetus.

**MCL 750.90d(a)**, operating under the influence/impaired causing miscarriage/stillbirth/death to embryo/fetus.

**MCL 750.90e**, careless or reckless driving causing miscarriage/stillbirth/death to embryo or fetus.

**MCL 750.145o**, death of vulnerable adult caused by unlicensed caretaker.

**MCL 750.200i(2)(e)**, unlawful possession or use of harmful device causing death. (Sentencing guidelines do not apply to this offense because conviction results in mandatory life imprisonment without parole.)

**MCL 750.200j(2)(e)**, irritant or irritant device causing death.

**MCL 750.204(2)(e)**, sending explosive with intent to harass/injure/destroy and causing death. (Sentencing guidelines do not apply to this offense because conviction results in mandatory life imprisonment without parole.)

**MCL 750.207(2)(e)**, placing explosive near property and causing death. (Sentencing guidelines do not apply to this offense because conviction results in mandatory life imprisonment without parole.)

**MCL 750.209(1)(e)**, placing offensive/injurious substance and causing death. (Sentencing guidelines do not apply to this offense because conviction results in mandatory life imprisonment without parole.)

**MCL 750.210(2)(e)**, unlawful possession/use of combustible substance or compound causing death. (Sentencing guidelines do not apply to this offense because conviction results in mandatory life imprisonment without parole.)

**MCL 750.211a(2)(f)**, possession of Molotov cocktail/other impact-explosive causing death. (Sentencing guidelines do not apply to this offense because conviction results in mandatory life imprisonment without parole.)

**MCL 750.236**, setting spring gun causing death.

**MCL 750.237(4)**, using firearm while under the influence or impaired causing death.

**MCL 750.317**, second-degree murder.

**MCL 750.319**, death as a result of fighting a duel. (Sentencing guidelines do not apply to this offense because conviction is equivalent of first-degree murder and results in mandatory life imprisonment.)

**MCL 750.321**, manslaughter.

**MCL 750.322**, willful killing of an unborn quick child.

**MCL 750.323**, death of mother or unborn quick child causing by abortion.

**MCL 750.324**, negligent operation of motor vehicle resulting in death. (Notwithstanding its designation as a misdemeanor, the sentencing guidelines apply to this offense. MCL 777.16p.)

**MCL 750.327**, death by explosives on vehicle or vessel.

**MCL 750.328**, death by explosives in or near building.

**MCL 750.329**, death resulting from weapon aimed with intent but without malice.

**MCL 750.329a**, assisting a suicide.

**MCL 750.394(2)(e)**, throwing or dropping dangerous object at vehicle causing death.

**MCL 750.436(2)(e)**, poisoning food, drink, medicine, or water supply causing death. (Sentencing guidelines do not apply to this offense because conviction results in mandatory life imprisonment without parole.)

**MCL 750.479(5)**, assaulting or obstructing certain officials causing death.

**MCL 750.479a(5)**, first-degree fleeing and eluding.

**MCL 750.492a(2)**, health care provider altering medical record with intent to conceal responsibility for patient's injury or death.

**MCL 750.495a(3)**, concealing objects in trees or wood products causing death.

**MCL 750.543f**, terrorism causing death. (Sentencing guidelines do not apply to this offense because conviction results in mandatory life imprisonment without parole. An individual may also be convicted of committing a terrorist act *not* resulting in death under MCL 750.543f.)

**MCL 752.861**, careless discharge of firearm causing injury or death.

**MCL 752.881**, reckless use of bow and arrow resulting in injury or death.